



National Lottery etc. Act 1993

1993 CHAPTER 39

PART II

DISTRIBUTION OF THE NET PROCEEDS OF THE NATIONAL LOTTERY

The distribution system

22 Apportionment of money in Distribution Fund.

- (1) Every sum that is paid into the Distribution Fund [^{F1}by virtue of section 5(6) or 10A] shall be apportioned as follows.
- (2) So much of the sum as the Secretary of State considers appropriate shall be allocated for making payments under section 31 and held in the Distribution Fund for that purpose.
- (3) Of the balance—
 - (a) [^{F2}20 per cent.] shall be allocated for expenditure on or connected with the arts,
 - (b) [^{F3}20 per cent.] shall be allocated for expenditure on or connected with sport,
 - (c) [^{F4}20 per cent.] shall be allocated for expenditure on or connected with the national heritage, [^{F5}and]
 - [^{F6}(d) [^{F7}40 per cent.] shall be allocated for prescribed expenditure that is—
 - (i) charitable, or
 - (ii) connected with health, or
 - (iii) connected with education, or
 - (iv) connected with the environment.]
 - [^{F8}(e)[^{F9}(including, in each case, for establishing or contributing to endowments in connection with such expenditure).]

[^{F10}(3A) In subsection (3)(d) “prescribed expenditure” means expenditure of a description prescribed by order of the [^{F11}Secretary of State] .

Changes to legislation: National Lottery etc. Act 1993, Section 22 is up to date with all changes known to be in force on or before 17 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(3B) A description of expenditure under subsection (3A) may, in particular, refer to expenditure in relation to—

- (a) England,
- (b) Wales,
- (c) Scotland,
- (d) Northern Ireland,
- (e) any of the Channel Islands, or
- (f) the Isle of Man;

and expenditure described by virtue of this subsection is referred to in this Act as “devolved expenditure”.

(3C) Before making an order under subsection (3A) the [^{F12}Secretary of State] shall consult—

- (a) the Big Lottery Fund,
- (b) the National Assembly for Wales,
- (c) the Scottish Ministers,
- (d) the Northern Ireland Department of Culture, Arts and Leisure, and
- (e) such other persons (if any) as he thinks appropriate.]

[^{F13}(4) This section has effect subject to section 25 of the Horserace Betting and Olympic Lottery Act 2004.]

Textual Amendments

- F1** Words in s. 22(1) substituted (8.4.2005) by [Horserace Betting and Olympic Lottery Act 2004 \(c. 25\)](#), [ss. 34\(9\)\(a\)](#), 40; [S.I. 2005/1134](#), [art. 2](#)
- F2** Words in s. 22(3)(a) substituted (1.4.2012) by [The Apportionment of Money in the National Lottery Distribution Fund Order 2010 \(S.I. 2010/2863\)](#), [arts. 1, 3\(1\)\(2\)](#)
- F3** Words in s. 22(3)(b) substituted (1.4.2012) by [The Apportionment of Money in the National Lottery Distribution Fund Order 2010 \(S.I. 2010/2863\)](#), [arts. 1, 3\(1\)\(3\)](#)
- F4** Words in s. 22(3)(c) substituted (1.4.2012) by [The Apportionment of Money in the National Lottery Distribution Fund Order 2010 \(S.I. 2010/2863\)](#), [arts. 1, 3\(1\)\(4\)](#)
- F5** Word in s. 22(3)(c) added (1.12.2006) by [National Lottery Act 2006 \(c. 23\)](#), [ss. 7\(2\)\(a\)](#), 22(1); [S.I. 2006/3201](#), [art. 2\(a\)](#)
- F6** S. 22(3)(d) substituted for s. 22(3)(d)(f) (1.12.2006) by [National Lottery Act 2006 \(c. 23\)](#), [ss. 7\(2\)\(b\)](#), 22(1); [S.I. 2006/3201](#), [art. 2\(a\)](#)
- F7** Words in s. 22(3)(d) substituted (1.4.2012) by [The Apportionment of Money in the National Lottery Distribution Fund Order 2010 \(S.I. 2010/2863\)](#), [arts. 1, 3\(1\)\(5\)](#)
- F8** S. 22(3)(e) repealed (8.4.2005) by [Horserace Betting and Olympic Lottery Act 2004 \(c. 25\)](#), [ss. 34\(9\)\(b\)](#), 40, [Sch. 6](#); [S.I. 2005/1134](#), [art. 2](#)
- F9** Words in s. 22(3) inserted (retrospectively) by [National Lottery \(Funding of Endowments\) Act 2003 \(c. 23\)](#), [s. 1\(2\)\(9\)](#)
- F10** S. 22(3A)-(3C) inserted (1.12.2006 for specified purposes) by [National Lottery Act 2006 \(c. 23\)](#), [ss. 7\(3\)](#), 22(1); [S.I. 2006/3201](#), [art. 2\(a\)](#)
- F11** Words in s. 22(3A) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), [art. 1\(2\)](#), [Sch. 2 para. 9\(2\)](#) (with [art. 12](#))
- F12** Words in s. 22(3C) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), [art. 1\(2\)](#), [Sch. 2 para. 9\(2\)](#) (with [art. 12](#))
- F13** S. 22(4) substituted (1.4.2012) by [The Public Bodies \(Abolition of the National Endowment for Science, Technology and the Arts\) Order 2012 \(S.I. 2012/964\)](#), [arts. 1\(2\)](#), 3(1), [Sch.](#)

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Modifications etc. (not altering text)

- C1** S. 22 functions transferred (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), arts. 1(2), **10(2)(c)** (with arts. 10(3), 11, 12)
- C2** S. 22(3)(d) modified (1.12.2006) by [National Lottery Act 2006 \(c. 23\)](#), **ss. 18(1)(a)**, 22(1); S.I. 2006/3201, art. 2(d)

Changes to legislation:

National Lottery etc. Act 1993, Section 22 is up to date with all changes known to be in force on or before 17 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- s. 22 words substituted by [2006 c. 23 Sch. 1 para. 12](#) (Section 6 provides for Schedule 1 to be commenced by an order under that section rather than under the normal commencement provision (section 22). In particular, it requires the order to be subject to negative resolution procedures. Schedule 1 is to be commenced in this different way to reflect the intention that the Secretary of State will not commence Schedule 1 immediately but only if she considers that the current licensing structure has failed in creating an effective competition for the licence under section 5 of the 1993 Act to run the National Lottery and so risks failing to maximise returns to good causes.)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5-6A substituted for s. 5 6 by [2006 c. 23 Sch. 1 para. 4](#) (Section 6 provides for Schedule 1 to be commenced by an order under that section rather than under the normal commencement provision (section 22). In particular, it requires the order to be subject to negative resolution procedures. Schedule 1 is to be commenced in this different way to reflect the intention that the Secretary of State will not commence Schedule 1 immediately but only if she considers that the current licensing structure has failed in creating an effective competition for the licence under section 5 of the 1993 Act to run the National Lottery and so risks failing to maximise returns to good causes.)
- s. 7(3A) inserted by [2006 c. 23 Sch. 1 para. 5\(5\)](#) (Section 6 provides for Schedule 1 to be commenced by an order under that section rather than under the normal commencement provision (section 22). In particular, it requires the order to be subject to negative resolution procedures. Schedule 1 is to be commenced in this different way to reflect the intention that the Secretary of State will not commence Schedule 1 immediately but only if she considers that the current licensing structure has failed in creating an effective competition for the licence under section 5 of the 1993 Act to run the National Lottery and so risks failing to maximise returns to good causes.)